

c2025-152D  
OPP--Opposition

## LEGISLATIVE COUNCIL

### Government Sector Audit Amendment (Performance Audit Reports) Bill 2025

#### First print

#### Proposed amendments

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No. 1      **Report may be presented confidentially**

Page 3, Schedule 1[1], proposed section 38EC(1)(b), lines 9–22. Omit all words on the lines.  
Insert instead—

- (b) if the Auditor-General does not consider it in the public interest for the report to be made public as soon as practicable after making the report—
  - (i) present the report to each House of Parliament, if that House is sitting, on a confidential basis which precludes the report being published by order or under authority of the House until appropriate under subparagraph (iii), and
  - (ii) present a notice to each House of Parliament that states the Auditor-General's intention to present the report for publication by order or under authority of the House—
    - (A) by a date, not more than 6 months after the making of the report, specified in the notice, or
    - (B) after the occurrence of a particular event, not more than 6 months after the making of the report, specified in the notice, and
  - (iii) present the report to each House of Parliament, if that House is sitting, for publication by order or under authority of the House—
    - (A) no later than the date specified in the notice, or
    - (B) as soon as practicable after the occurrence of the particular event specified in the notice.

No. 2      **Report may be presented confidentially**

Page 3, Schedule 1. Insert after line 24—

**[2A] Section 38EC(2)**

Insert “, subject to subsection (2A)” after “section 63C”.

**[2B] Section 38EC(2A)**

Insert after section 38EC(2)—

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- (2A) If a report is presented to each House of Parliament, or to the Clerk of each House, on a confidential basis under subsection (1) or (2), the report—
- (a) must not be published by order or under authority of the House or otherwise published until the report is presented under subsection (1)(b)(iii), and
  - (b) may be inspected only by members of each House of Parliament but members must not take copies of, or extracts from, the report, and
  - (c) must not be referred to by members of the House publicly, including in a House of Parliament, in a way that would reveal the content of the report.